

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
November 26-30, 2001

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
11-26	EX	75/669,021	Diet Fitness Corp.	Hanak* Hohein Holtzman	2(d)	Refusal Reversed		"ARIZONA MAGIC" [vitamin and mineral supplements]	"ARIZONA NATURAL CIRCULATION PLUS," "ARIZONA NATURAL TOX-SANS CHELATION SUPPLEMENT FORMULA #308" (and design), <i>and</i> "ARIZONA NATURAL ODORLESS! GARLIC TIME ONE-A-DAY CONCENTRATED TIME RELEASE GARLIC" (and design) [<i>all three marks for</i> garlic caplets]; "ARIZONA NATURAL" [dietary supplements, namely, vitamin, mineral and herbal supplements]	Chicoski	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
November 26-30, 2001 (continued)

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
11-26	EX	75/642,176	Gary L. Green, P. A.	Simms Bucher Drost*	whether the matter asserted for registration is capable of functioning as a mark for applicant's services [whether the matter is registrable on the Supplemental Register]	Refusal Affirmed		"WE MAKE HOUSE CALLS" [legal services]		First	No
11-27	EX	75/554,945	El-grande.com Inc.	Simms Walters Wendel*	2(e)(1)	Refusal Affirmed		"SHOPENGINE" [on-line retail store services featuring books, computer software, pre-recorded music, pre-recorded motion pictures and documentaries, and pre-recorded multimedia products]		Fairbanks	No
11-27	EX	75/585,837	Sirius Products, Inc.	Hohein* Bucher Bottorff	2(e)(1)	Refusal Affirmed		"HARD WATER" [cleaning preparation for all surfaces]		Breckenfeld	No
11-27	EX	75/468,354	Sunex International, Inc.	Simms Cissel Quinn*	2(d)	Refusal Affirmed		"HEAVY HITTERS" [power driven heavy duty impact wrenches for professional mechanics in the automotive aftermarket]	"HEAVY HITTER" [hand tools, namely, hammers, axes, mallets, sledgehammers, and picks]	Craven	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
November 26-30, 2001 (continued)

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
11-29	EX (R)	75/586,933	Optonics, Inc.	Simms* Hairston Rogers	2(e)(1)	Request for Reconsideration Denied [Refusal Affirmed]		"OPTONICS" [capital equipment for the semiconductor manufacturing industry, namely, inspection and test apparatus for measuring the performance characteristics of semiconductors; installation of the above equipment; design, development, and evaluation for the purpose of certification of inspection and test systems for semiconductor manufacturing for others]		Gilbert	No
11-29	EX	75/503,342	Eastern National	Hanak* Hohein Chapman	2(e)(2)	Refusal Reversed		"INDEPENDENCE PARK INSTITUTE" [publications; clothing; retail store and gift shop services; educational and entertainment services; promotional campaigns and services; computer services]		Hella	No
11-29	EX	74/622,781	Majestic Distilling Co., Inc.	Simms* Hanak Bottorff	2(d)	Refusal Affirmed		"RED BULL" [tequila]	"RED BULL" [malt liquor] et. al.	Dickinson	No
11-30	OPP	109,065	F. L. Emmert Co. v. Moorman Mfg. Co.	Simms Hairston Bottorff*	2(d)	Opposition Dismissed	"SHOW BLOOM" (in stylized form) [protein and vitamin conditioner and supplement in livestock, including horses]	"SHOWBOOST" [animal feed]			No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member